

To: CN=Jennifer Wu/OU=R10/O=USEPA/C=US@EPA;CN=Jayne Carlin/OU=R10/O=USEPA/C=US@EPA[]; N=Jayne Carlin/OU=R10/O=USEPA/C=US@EPA[]
Cc: CN=Stephen Sweeney/OU=DC/O=USEPA/C=US@EPA;CN=Kelly Gable/OU=R3/O=USEPA/C=US@EPA;CN=Lynda Hall/OU=DC/O=USEPA/C=US@EPA[]; N=Kelly Gable/OU=R3/O=USEPA/C=US@EPA;CN=Lynda Hall/OU=DC/O=USEPA/C=US@EPA[]; N=Lynda Hall/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Don Waye/OU=DC/O=USEPA/C=US
Sent: Thur 1/31/2013 6:00:55 PM
Subject: Fw: OR CZARA Settlement Agreement Schedule Update - Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

Jenny,

See the advice for our lawyer below. Thanks.

Don Waye
 U.S. Environmental Protection Agency
 Nonpoint Source Control Branch (OWOW/AWPD)

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----- Forwarded by Don Waye/DC/USEPA/US on 01/31/2013 12:59 PM -----

From: Stephen Sweeney/DC/USEPA/US
To: Don Waye/DC/USEPA/US@EPA
Cc: Kelly Gable/R3/USEPA/US@EPA, Lynda Hall/DC/USEPA/US@EPA
Date: 01/31/2013 12:48 PM
Subject: Re: OR CZARA Settlement Agreement Schedule Update - Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

Ex. 5 - Attorney Client

Stephen J. Sweeney
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From: Don Waye/DC/USEPA/US
To: Lynda Hall/DC/USEPA/US@EPA, Stephen Sweeney/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA
Date: 01/31/2013 12:39 PM

Subject: OR CZARA Settlement Agreement Schedule Update - Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

FYI.

"Dick P" is OR DEQ's Director, Dick Pederson.

"Dennis" is EPA Region 10 RA, Dennis McLerran

I suspect that OR DEQ is positioning itself for a renegotiation of the settlement agreement with Nina Bell.

----- Forwarded by Don Wayne/DC/USEPA/US on 01/31/2013 12:32 PM -----

From: Jayne Carlin/R10/USEPA/US
To: allison.castellan@noaa.gov, Don Wayne/DC/USEPA/US@EPA
Date: 01/31/2013 12:03 PM
Subject: Fw: Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

----- Forwarded by Jayne Carlin/R10/USEPA/US on 01/31/2013 09:03 AM -----

From: Jennifer Wu/R10/USEPA/US
To: Dan Opalski/R10/USEPA/US@EPA, Christine Psyk/R10/USEPA/US@EPA,
Cc: David Powers/R10/USEPA/US@EPA, Jayne Carlin/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA
Date: 01/29/2013 04:05 PM
Subject: Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

Hi Dan and Christine,

Gene Foster asked that I give you both a heads up that Dick Pedersen will be sending a letter to Dennis responding to the December 2012 CZARA/NOAA letter in the next 1-2 weeks. He asked that you let Dennis know, if possible. The letter will say that ODEQ won't be able to submit the Mid-Coast TMDL by June 2013 as originally agreed to.

ODEQ will then send a second letter (~2 weeks after the first letter) with the expected timelines and schedule for when the Mid-Coast TMDL will be done. The 2nd letter will discuss the time needed to finish the technical analysis and the uncertainty of the OR temp WQS litigation and its effects on the timing to complete the Mid-Coast TMDL.

Thanks,
Jenny Wu
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<http://www.epa.gov/r10earth/tmdl.htm>